

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

Arbitration – Suits - Settlement of arbitration award dt.02-02-1990 in respect of the work relating to construction of Formation of embankment of Kakatiya Canal from Km.237.00 to Km.238.00 of Stage.II of Sri Ram Sagar Project under Agt.No.42/SE/CCH/ 83-84, dated 2.11.1983 with Sri C. Vijayakumar Reddy, Legal Heir of Late Sri C.Subba Reddy, Contractor for an amount of Rs.2,10,000/- - Sanction – Orders – Issued.

-----  
**IRRIGATION & COMMAND AREA DEVELOPMENT (ARB) DEPARTMENT.**

G.O.(Ms.) No.41

Dated 4TH May, 2010.

Read the following:-

1. From Sri C.Vijayakumar Reddy, Legal Heir of Sri C.Subba Reddy, Contractor, representation dated 13-08-2007.
2. From the ACE, SRSP, Hyderabad Lr. No.SRSP.II/DEE2/ AE3/24842/ 87, date 23-11-2007.
3. Govt. Memo No.23707/ARB/07 dated 05-02-2008.
4. From the ENC/IW/P&M/EE.I/DEE.8/300108/08-3, dated22-05.2008.
5. From Sri C. Vijay Kumar Reddy, Notarized declaration dt. 26-06-2008.
6. From Sri C. Vijay Kumar Reddy, representation dated NIL.

--::--

**ORDER:**

Sri C. Vijaya Kurmar Reddy, S/o.Sri C.Subba Reddy, Contractor, in the reference first read above, has stated that the Earth work excavation, forming embankment from Km 237.00 to Km 238.00 of Kakatiya Canal was awarded to Sri C.Subba Reddy, Contractor, Nellore vide agreement No.42/SE/CCH/83-84, dt.02-11-1983. During the course of execution of the work, certain disputes has arised between the two parties. Those disputes were referred to the Sole Arbitrator. The Arbitrator passed the award on 02-02-1990. The Government have filed O.P.No.243/90, to set aside the award and the Contractor has filed O.P.No.249/90 to make the Award rule of Court in the first Senior Civil Judge, City Civil Court, Hyderabad. During the pendency of the above O.Ps., Sri C. Subba Reddy died on 28-06-95. There upon the legal representatives were brought on record. By a common order Dt.30-10-98, O.P. NO.243/90 was dismissed and OP.No.249 of 90 was decreed. Aggrieved by this, the Government filed CMA. No.633/99 against O.P. No.243/90 and CRP.No.911 of 99 against OP.No.249/90. The Hon'ble High Court in its common judgement dated 13-07-2007 has directed both parties to conciliate and settle the claims. In view of the Common judgement of the Hon'ble High Court, he has requested to settle one time settlement as is being done in similar cases. He has also requested to deposit the amount i.e., Rs.2,10,000/- to the credit of O.P.No.249/90 on the file of II Senior Civil Judge, City Civil Court, Hyderabad to put an end to the Arbitration matter as per the directions of the Hon'ble High Court.

2. In compliance of the directions of the Hon'ble High Court and as per the representation of the legal heir of the Contractor, after obtaining the report from the Administrator-cum-Chief Engineer, Sri Ram Sagar Project, Hyderabad, the case has been referred to the Conciliation Committee for Telangana Region for amicable settlement.

3. The Engineer-in-Chief (A.W./I.W), Hyderabad in the reference 4<sup>th</sup> read above has furnished the report of the Committee dated 23-04-2008, wherein, after negotiation with the Contractor, the Committee has recommended Rs.2,22,932/- as a final settlement of the claim.

4. In compliance with the directions of the Hon'ble High Court and as per the representation of the Legal heir of the Contractor, the Prl. Secretary has conducted

**P.T.O**

**::2::**

final conciliation with Sri. C. Vijaya Kumar Reddy S/o. late C. Subba Reddy, Contractor on 26-06-2008 and settled the Arbitration Award dated 02-02-1990 for an amount of Rs.2,10,000/- as full and final settlement. The legal heir of the contractor has furnished notarized Affidavit on Non-Judicial stamp paper to this effect, wherein, he has declared that he has accepted the said amount as finally settled amount after conciliation with the Prl. Secretary to Government He has also declared that he withdraw all the legal proceedings in respect of the subject work.

5. Government after careful examination of the matter hereby sanction an amount of Rs.2,10,000/- (Rupees Two Lakh Ten Thousand only) as full and final settlement of the Arbitration award dt. 02-02-1990 in respect of the work relating to construction of Formation of embankment of Kakatiya Canal from Km.237.00 to Km.238.00 of Stage.II of Sri Ram Sagar Project vide Agt.No.42/SE/ CCH/ 83-84, dated 2.11.1983.

6. The amount sanctioned in para (5) above shall be debited to the following Head of Account:

**"2701 – M & M.I. – 01 – Major Irrigation – 116 – Sriramsagar Project – 11 – Normal State Plan – 27 – Canals & Distribution – 530 – Major works – 531 – Other expenditure."**

7. The Administrator-cum-Chief-Engineer, Sriramsagar Project, Hyderabad is directed to arrange to deposit the amount sanctioned at para ( 5 ) above, to the credit of OP. No.249/90 on the file of IInd Senior Civil Judge, City Civil Court, Hyderabad., as requested by the legal heir of the Contractor vide reference sixth read above, duly deducting the amounts that are recoverable on whatsoever account.

8. This order issues with the concurrence of Finance (W&P) Department, vide their U.O. No.1918/F4/2/10-1, Dated 28-04-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER  
PRINCIPAL SECRETARY TO GOVERNMENT.

To  
The Administrator-cum-Chief Engineer, Sriram Sagar Project,  
M.J. Road, Hyderabad.  
The Director of Works Accounts, A.P., Hyderabad.  
Sri C. Vijayakumar Reddy, D.No.27-2-1690,  
Geethanjali School Road, Balajinagar,  
Nellore-02.  
Finance (W&P) Department (with a request to release  
the LOC for the sanctioned amount).  
I & CAD (P&B) Department.  
The Accounts General, A.P., Hyderabad.  
The Government Pleader for Arbitration, High Court of A.P.,  
High Court Building, Hyderabad.  
S.C. S.F.

//FORWARDED::BY ORDER//

SECTION OFFICER